

CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND EIGHTY-FIFTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
On Thursday, 19 February 1998, at 10 a.m.

President:

Mr. Hofer

(Switzerland)

The PRESIDENT (translated from French): I declare open the 785th plenary meeting of the Conference on Disarmament.

As I take the Chair of the Conference on Disarmament as representative of Switzerland for the very first time, I would like at the outset to pay tribute to this institution, which, particularly at the beginning of the 1990s, achieved remarkable successes whose scope cannot be underestimated. I should also like to pay tribute to those who have made this success possible, and of course to those who, since then, in one way or another, have prepared the ground for, or inspired, my country's presidency. In this connection I should first like to mention my colleague Ambassador Lars Norberg and his staff on the delegation of Sweden, who, in a difficult situation, did everything in their power to move the deliberations of the Conference forward. I include the new representatives, whose useful imagination has already had a positive impact on our work. Finally, I should like to thank the Secretary-General of the Conference, Mr. Vladimir Petrovsky, his deputy, Mr. Abdelkader Bensmail, and his team for providing us with valuable counsel for the pursuit of our task.

My Government has not forgotten the States and the figures behind the favourable circumstances which brought Switzerland into the alphabetical order of members of the Conference and which, after only 20 months, have placed it in the presidency. At that time, vision, perseverance and especially the ability and the will to pursue dialogue were needed to arrive at this happy outcome. Despite a profoundly different environment, your President believes that these self-same qualities are of particular importance today. In recalling the wider context in which we now find ourselves, we observe that, during an initial phase, all the members of the Conference had ample opportunity to put forward their positions - and their proposals - as regards the future work of the Conference. This process kept us busy throughout the whole of 1997. Then, following the initiatives taken by the Presidents from Sri Lanka and Sweden, we entered a second phase of identification of specific subjects. Thanks to the consultations initiated by Ambassador Norberg in particular, the foundations were laid for a third phase, which has already been grafted onto our deliberations last week. Logically this is the phase which includes the search for areas of understanding and dialogue on the basis of our respective positions, which have become widely known, and the specific sensitivities discovered in the course of the second stage.

Consequently there is no doubt that we are entering a very delicate period. On the one hand it is characterized by many pitfalls: a refusal to engage in dialogue or a change in the political environment in which we find ourselves may delay the solutions that we all seek, or even jeopardize the tacit achievements of our earlier negotiations. On the other, this third phase is full of promise and hope: most of the subjects we have identified enjoy a wide measure of support. Some are even close to consensus: hence it will be for the incoming President to draw upon the creativity of all delegations to use the vast array of tools of multilateral dialogue designed to overcome the final obstacles so as to adopt at last negotiating topics which can place this Conference back on the track of working by consensus.

(The President)

This is why Switzerland considers its presidency as a service that it has the honour to render the Conference on Disarmament, in the interest of a common search for areas of understanding and open and imaginative negotiations, whilst maintaining all necessary transparency in respect of all the members of our institution. This approach should enable us to guarantee continuity in our work and to preserve the momentum initiated under the Swedish presidency. Stress will therefore be placed clearly on the substance of our items as presented in the final conclusions of my predecessor at the plenary meeting on 12 February 1998. At the same time I shall bear in mind the need to continue work concerning our institutional reforms, which are still pending. Your suggestions in this connection will be welcome. It is quite obvious that the Chair can only stimulate this process, whose results depend entirely on the political will of all the sovereign members of the Conference on Disarmament. We are convinced that sooner or later the Conference will have no alternative if it wishes to retain its role in the international community - no alternative but to succeed in the interests of all its members and all those who so far have not been able to become its fully-fledged members. It is in this spirit that I should like to thank you in advance for your support and your valuable efforts to revitalize our Conference and to restore to it its vocation as a multilateral negotiating body in the area of disarmament. I am fully aware of the difficulty of this task, but I undertake to devote all my energy to it, in the assurance that I can count on the cooperation of one and all.

On the list of speakers today I have the representatives of Chile, Germany, Italy and Poland. Before calling upon them I should like to inform you that I intend, as soon as we reach the end of the list of speakers, to submit to the Conference for decision the requests made by Saudi Arabia, Costa Rica and Sudan to participate as observers in our work in the course of 1998. I now invite the representative of Chile, Ambassador Illanes, to make his statement.

Mr. ILLANES (Chile) (translated from Spanish): Mr. President, first of all I wish to congratulate you on behalf of my delegation on occupying the Chair of the Conference on Disarmament and to offer you our full support and cooperation for the fulfilment of your important duties. The important statement you have just made reinforces our optimism that under your stewardship this Conference will be able to make progress. I also wish to avail myself of the opportunity to express our gratitude to your predecessor in this post, Ambassador Norberg of Sweden, for his remarkable performance. And also to convey our particular appreciation to the Personal Representative of the Secretary-General of the United Nations and Secretary-General of the Conference on Disarmament, Mr. Vladimir Petrovsky, and the Deputy Secretary-General of the Conference on Disarmament, Mr. Abdelkader Bensmail, for the efficient work and services provided by the secretariat. My delegation also wishes on this occasion to extend a warm welcome to the new Ambassadors of China, the United States, India, Iran, Japan, the Netherlands, Peru and Sri Lanka who have recently joined the Conference.

The start of this session of the Conference on Disarmament has undoubtedly been more auspicious than last year's. Under the skilful guidance

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of Ambassador Norberg, the Conference succeeded in approving its agenda for this year without delay and, with regard to the programme of work, the President's gradual and prudent schedule of consultations led to two valuable results: firstly, the majority of delegations displayed a genuine willingness to be flexible in their positions in order to set the Conference on Disarmament on the path towards substantive work, and secondly it has been possible to reach "agreements in principle" about a variety of issues which could be addressed in the work of the present year. At this point, unfortunately, and in spite of the endeavours and the talent of the President of the Conference and many of its members, we find ourselves again in a situation which in practical terms differs little from the situation of deadlock that prevailed in 1997. The actual fact is that the Conference on Disarmament has not so far succeeded in reaching agreement on any decision concerning its own work.

It seems to me that in the CD we can all corroborate the fact that the main reason why we cannot manage to break out of the deadlock lies in the difficulty of reaching any kind of agreement about how to tackle the problem of nuclear disarmament. Chile's role as a member of the international community is characterized by its strict attachment to the principles which regulate peaceful coexistence among nations and the provisions of international law. From this standpoint we consider this forum, the only multilateral mechanism responsible for negotiations in disarmament affairs, to be of the highest importance, because of the fundamental role it has to play in generating agreements and rules which meet the rightful expectations harboured by the international community as a whole in this field. Thus, as a member of the Conference on Disarmament we feel responsible not only for our individual national interests but also for those of the community at large and we believe that the most efficient and active participation in this forum is the best way of duly fulfilling this obligation. In harmony with this position of principle, Chile has supported several initiatives, some of which were submitted in 1997 and others at the beginning of this session, that were designed to secure a start to negotiations that would include the question of nuclear disarmament. Chile therefore considers that the Conference should begin as soon as possible, with all the caution the matter calls for, but also with determination, to address this important issue. The foregoing in no way implies hampering or impairing the current process of bilateral or multilateral negotiations between the nuclear-weapon countries. We consider it essential to do our utmost to initiate, at the very least, as suggested by Canada and South Africa, judicious and reasonable deliberations. Chile resolutely supports those proposals.

We are above all pragmatic and realistic. We entertain no illusions, nor do we have any inclination to share intransigent positions. What we do want, however, is to continue doing whatever is within our modest means to make constructive contributions in this body. It is for that reason, again with regard to nuclear matters, that we favour a prompt start to the work of the ad hoc committee on a fissile material cut-off. Likewise we consider that this forum should address the subject of negative assurances. We feel that these negotiations, whatever the content and scope to be given them, beyond dealing with very important unresolved topics, would also, by their own logic,

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lead to the necessary multilateral discussion of nuclear disarmament. Faithful to the constructive spirit which inspires my country as a member of this forum, Chile has lent its support to several initiatives for a start to the substantive discussion of each of the items on the Conference agenda, on their own merits. Chile feels that a balanced programme of work for the CD should also include matters relating to conventional weapons, a sphere in which anti-personnel landmines clearly constitute the top priority for the world community. Undoubtedly the Ottawa Convention, which Chile too has signed, is intended to be universal, like many other international instruments. Unfortunately, this fundamental characteristic is viewed as an objective which is far from being achieved, because of the failure of many major countries to join the Ottawa Agreement. This is precisely where the Conference should once again respond to what the international community and international public opinion expect from an organ of this kind, by facilitating a gradual move towards achieving the final aim of the Convention.

I now wish to make reference to the item concerning the organization of our work, which has become a subject of the very highest importance in practical terms in the prevailing circumstances. In a letter addressed to the President of the Conference on Disarmament in December 1997, the delegation of Chile expressed its concern about the deadlock affecting the Conference on Disarmament and suggested certain steps of a procedural nature which could help remedy the situation. We pointed out to the President of the Conference that although such a situation was in itself a matter of substance, whose resolution depended mainly on political factors external to the CD, it was possible to imagine certain steps or commitments of a procedural nature and of limited scope that would be acceptable to all sectors. These could help to alleviate the situation and enable the CD to discuss disarmament issues without necessarily implying the existence of a will to initiate a negotiating process on an international convention. Therefore the statutory requirement of consensus would not be at all affected. In other words, once the Conference had adopted a balanced agenda covering the concerns of all delegations, the various items or sub-items on the agenda could be taken up, various technical issues could be addressed, delegations could present their own proposals for discussion, and so forth. However, there would be no mandate for negotiating a convention until it became perfectly clear that consensus had arisen on a specific item. In the opinion of the Chilean delegation, this could be achieved by setting up more or less permanent committees or working groups to deal with individual issues of interest to the CD, within the scope of the agenda items in CD/1484. These groups would work year after year, unless the Conference decided to modify or end their work, at the pace their members decided to adopt. When in any of these committees or working groups the existence of a consensus were to be sensed, the plenary would then appoint an ad hoc negotiating committee, this time with a specific mandate to move forward towards an international convention.

It could be objected that the purpose of the CD is essentially one of negotiating international agreements, while the prior discussing of issues is a task for the United Nations General Assembly or its Disarmament Commission. However, this is partly true. In the past history of the organs which preceded the CD there are instances of debates on complex disarmament issues

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which gave rise to ideas and meaningful contributions towards agreements that were finally arrived at bilaterally. Again, solutions were found to technical problems which substantially smoothed the way for the subsequent signing of very important multilateral conventions. Nowadays, in some measure, delegations take advantage of the plenary meetings of the CD to make statements of a general nature. However, the establishment of committees or working groups that would be more or less permanent would significantly increase the possibility for delegations of member countries to outline their positions, exchange views and proposals and reflect together with others in order to resolve their differences and achieve useful approaches to disarmament issues. We have taken the liberty of restating these ideas today in the hope that they may prove a constructive input to the debate that the CD is doubtless going to have in the near future concerning the most appropriate reforms to its rules of procedure designed to ensure its more efficient functioning. If, as we hope, the post of special coordinator on this subject is recreated, the Chilean delegation will submit specific proposals through that channel.

We should like to add now that there might be yet another way to achieve the same desired results with the ideas broached in my letter of December 1997, to which I have just referred. This would also consist of a purely procedural step which would not jeopardize the rule of consensus and which would perhaps be more easily acceptable as it is a much more modest proposal and one which would not even require amendment of our rules of procedure, since it could be readily implemented by means of a new interpretation (CD/1036 of 1990). I refer to our reaching agreement that the special coordinators (or Friends of the Chair) for agenda items could be appointed by the President of the Conference without the need to request specific agreement from members. The basis for this procedural course of action is to be found in the fact that the function of such colleagues is essentially one of consulting all the delegations about a given item, thus enabling them to present to the Conference a summary of such opinions in systematic form. In fact, this is a job which does not differ greatly from the function that is partially fulfilled by delegations' general statements made in the Conference plenary.

There is nothing in the work of the special coordinators that might commit Governments to negotiations, since the results of their endeavours will indicate whether or not there is any basis for an eventual negotiating process, which will normally depend on no objection arising from any member State. Indeed, these special coordinators would be quite similar to the "Friends of the Chair" who, as we all know, render extremely useful services in the great majority of United Nations institutions and bodies and in other forums. These Friends of the Chair, appointed by the President himself, enable him to enhance his own ability to conduct consultations, which is of necessity limited, and to move forward in obtaining useful information for the progress of the work of the relevant body without impairing the ultimate freedom of decision of each delegation. Obviously they should be given broad mandates to gather all kinds of opinions, mandates without any kind of bias which might tend to prejudge the results of their consultations. This stage

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of simple information-gathering would therefore not in the least - I repeat - modify the freedom of all delegations to accept or oppose the subsequent initiation of a negotiating process in an ad hoc committee.

The adoption of the procedural approach which we have ventured to suggest would allow us to move forward smoothly in the preliminary stage of gathering and exchanging ideas on disarmament issues, thus overcoming the difficulties we are encountering today in reaching agreement on the appointment of special coordinators. This would mark a substantial improvement in the functioning of the Conference on Disarmament.

The PRESIDENT (translated from French): I thank the representative of Chile for his statement and for the kind words he addressed to the Chair. I now call on the representative of Germany, Ambassador Seibert.

Mr. SEIBERT (Germany): Mr. President, I would like first to congratulate you on your assumption of the presidency. We are glad to see you in the Chair since we appreciate your diplomatic skills and know that you will spare no effort to move this Conference forward to substantive work. My delegation will cooperate with you and fully supports your endeavours which you have just outlined in your introductory speech.

I also take this opportunity to express the gratitude of my delegation to your predecessor, Ambassador Norberg, for the circumspection and wisdom with which he has presided over this Conference. Under his able guidance much ground has been covered on the way to preparing decisions. While further consultations may be necessary on some items, it is now for the Conference to live up to its responsibilities and take the necessary decisions.

I would also like to thank the Secretary-General of this Conference, Mr. Petrovsky, and Mr. Bensmail, Deputy Secretary-General, as well as the entire secretariat for their valuable support.

Let me first briefly outline some views in the area of global disarmament and arms control. Germany is committed to the inter-dependent goals of nuclear disarmament and nuclear non-proliferation as set out in the Nuclear Non-proliferation Treaty (NPT) and in the "Principles and objectives" on nuclear non-proliferation and disarmament as decided by the 1995 Review Conference. We, like others, do believe that the primary responsibility for nuclear disarmament remains with the nuclear-weapon States.

There is no practicable alternative to the ongoing START process. These negotiations may have been at times complex and protracted, but they have undeniably yielded important results such as the Intermediate Nuclear Forces (INF), START I and START II agreements. While implementation of START I seems to advance smoothly and according to timetable, START II has unfortunately not yet entered into force. Germany welcomes the various understandings reached between Russia and the United States of America in the course of last year to clarify the way ahead. Negotiations on START III should commence immediately after START II is in force. START III should aim at further deep reductions in strategic nuclear arsenals. Germany welcomes in

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particular the intention of both parties to discuss in separate but parallel talks tactical nuclear weapons which so far are only subject to unilateral declarations made in 1991-1992.

We believe that the insistence on a time-bound framework for nuclear disarmament is not helpful. Who can presume to define here and now all the answers to all the political, technical and financial problems involved? There can be no doubt that the way towards elimination lies in the direction of steady, continued reductions.

Emphasizing the primary responsibility of the nuclear-weapon States does not mean that the CD has no role to play in questions of nuclear disarmament or nuclear arms control. All nations have a natural interest in nuclear arms control. It is therefore appropriate for this Conference to consider issues of nuclear disarmament and arms control. Such considerations could complement and support ongoing efforts by the nuclear-weapon States. Non-nuclear-weapon States have a legitimate interest in being informed about progress achieved and possible challenges in the process of nuclear disarmament. We believe that this Conference could find ways to address issues of nuclear disarmament in a structured and focused manner. Such an approach would allow a free exchange of information and ideas, and would enhance transparency and confidence. It would lead to a more relevant debate which would serve all delegations. We, for our part, are not tied to any specific mechanisms in which such discussions could take place.

Discussions on nuclear disarmament will reveal that some issues are ripe for negotiation while others are not. Among the issues which must be urgently addressed by the CD is a fissile material cut-off treaty (FMCT). After the conclusion of the CTBT, a non-discriminatory and effectively verifiable cut-off treaty would constitute a major contribution both to nuclear disarmament and non-proliferation. The Shannon report, based on very extensive and in-depth consultations in this Conference, constitutes a solid basis for such negotiations. It also provides the necessary flexibility for delegations to raise all matters of legitimate concern in such negotiations. If some delegations feel that developments since 1995 require a re-examination of the context in which the mandate has been set, we are ready to explore the line of thought developed by Canada in its recent working paper. However, this should not stand in the way of commencement of substantive work in an ad hoc committee or, if necessary, in a less formal setting.

The issue of anti-personnel landmines (APLs) has been a top priority for my country and for many others. The Ottawa process has paved the way for an adequate and definite solution to the APL issue. Germany will continue to make every effort to contribute to the universalization, early entry into force and complete implementation of the Ottawa Convention. We are willing to enter into a constructive dialogue with those countries that do not yet feel able to sign the Ottawa Convention but are willing to consider intermediate steps to promote the ultimate goal of the universal and total prohibition of anti-personnel mines. Germany hopes that one of those intermediate steps, the entry into force of the revised Protocol II of the CCW, can be taken as soon as possible.

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This Conference has before it General Assembly resolution 52/38 H, inviting the Conference on Disarmament "to intensify its efforts on the issue of anti-personnel landmines". The international community deserves an early and adequate response by this Conference. One way to do this would be to start negotiations on a global ban on the transfer, including the export and import of anti-personnel landmines. A considerable number of delegations have already indicated their support for such an approach. Germany is prepared to actively participate in negotiations on a transfer ban which must be global, complete and effective. Above all, it must be complementary to the Ottawa Convention, which, in our view, is the principal legal instrument on the APL issue. Since the Ottawa Convention is binding for its signatory States, negotiations in the CD cannot fall behind the Ottawa standards and definitions.

An ad hoc committee to begin negotiations should be established immediately. If some delegations feel that more time is needed to define the mandate for such negotiations, we could also agree to reappoint a special co-ordinator who would be mandated to present an early report on possible concrete steps towards an APL transfer ban.

Germany would also like to see the re-establishment of the Ad Hoc Committee on Transparency in Armaments (TIA). We fully support the suggestions made on this issue by the distinguished Ambassador of the Netherlands. Although constructive and fruitful discussions took place in the Committee in 1993 and 1994, only modest progress has been made in the field of transparency since then. The United Nations Register of Conventional Arms, as the only global instrument related to transparency of conventional weapons, is still confined to weapons transfers only. Nobody can deny, however, that an excessive and destabilizing accumulation of weapons can result also from procurements based on national production capabilities. Likewise, reporting of military holdings would significantly contribute to signalling openness in military matters and, thereby, to building confidence. Furthermore, the reporting in many cases lacks clarity since it contains only cumulative numbers of unspecified weapons within broadly defined weapon categories. In this respect, we welcome the suggestion made by the United Nations Panel of Governmental Experts in its 1997 report to also include information on types or models of weapons in the annual reporting.

However, the fact that many States, including Germany, voluntarily provide all this information is not enough to secure universal acceptance. Thus, the time has come to study ways and means of improving transparency on a global scale, not only with respect to enhancing the Register but also regarding other appropriate measures. In this context, Germany also attaches high importance to the United Nations standardized reporting system on military expenditures, which is not limited to specific categories of weapons but gives a more general overview on national defence policies.

In our view, the CD is the most appropriate body to take on seriously all questions related to transparency on a global scale. The CD should make every effort in the current session to achieve progress in this field.

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We also believe that the Conference must considerably strengthen its efforts in the field of conventional disarmament, an issue that has been dealt with so far only by the Ad Hoc Committee on Transparency in Armaments. Conventional disarmament is not only one of the items of the so-called "Decalogue"; it has also been recognized as one of the disarmament priorities by the first special session of the General Assembly on disarmament. And above all, conventional weapons are the weapons being used in most conflicts of our times.

In this context, we welcome the ideas on this subject presented by Canada and Mexico. We particularly recognize the need for appropriate measures to reduce significantly the uncontrolled stream of small arms and light weapons in crisis or conflict areas. However, we are aware of the complexity of this subject, which involves basic principles of international law such as legitimate self-defence, as well as national legislation and suitable approaches to conflict solution and consolidation of peace. We regard the 1997 report of the group of governmental experts on small arms and light weapons as a very useful contribution to this discussion, and thank its Chairman, Ambassador Donowaki, for his able guidance. We support the continuation of the deliberations on the issue on an expert level.

Several delegations have expressed particular interest in the subjects of outer space and negative security assurances. Both subjects have been dealt with in the Conference before.

On outer-space, Germany has actively participated in the work of the Ad Hoc Committee and has repeatedly contributed expertise and concrete proposals. After several years of discussion, however, the Committee was still not in a position to agree upon a negotiating mandate as had been proposed by my predecessor, Ambassador Hoffmann, as Chairman of the Committee in 1993. That is why it would seem to us that some additional discussion would be needed to identify potential new developments and possible new approaches in this area which might usefully be addressed in an ad hoc committee. Canada has already made a valuable contribution to such a discussion. At the very least, there should be a review of the mandate, as foreseen in General Assembly resolution 52/37.

The first Ad Hoc Committee established by the CD in 1979 was the Committee on negative security assurances (NSA), which dealt with this topic and continued to do so, on the basis of the unchanged negotiating mandate of 1979, until 1994. We believe that this reflects a legitimate security concern of non-nuclear-weapon States and that, therefore, the question of security assurances must remain on the international agenda. Here also, we should have a substantial discussion on how to develop new and more promising approaches. This could be done either by establishing an ad hoc committee or, failing agreement, by appointing a special co-ordinator.

I have set out some of our positions for this year's session. I have done so because we believe that this Conference can do more meaningful work on some subjects. We are ready to look with an open and constructive mind at the priorities of other delegations and are willing to seek compromises. In a

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body based on the rule of consensus, this is the only way to move forward. We therefore do hope that all delegations will have one priority in common: to get this Conference back to substantial discussions and real negotiations as soon as possible.

My delegation is ready to accept ad hoc committees on any item where this is possible and to nominate special co-ordinators where it is necessary. We are also open with regard to the framework or mechanism in which meaningful, substantive discussions may take place.

Mr. President, in his concluding remarks your predecessor rightly pointed to the new and positive atmosphere prevailing in this year's session. We share this assessment. At the same time we believe that a good atmosphere is not an end in itself. It must translate into tangible progress and concrete decisions.

After four weeks of formal debates and informal consultations, the Conference is now at the crossroads where it will have to decide whether it will repeat last year's dismal performance or whether it will engage in substantive work. My delegation is strongly committed to embark on the latter avenue. We trust that you will steer this Conference in the right direction and you may count on my delegation's full support in this endeavour.

The PRESIDENT (translated from French): I thank the representative of Germany for his statement and for the kind words he addressed to me. I now call on the representative of Italy, Mr. Picheca.

Mr. PICHECA (Italy): My Ambassador apologizes for not being able to be present today, but unfortunately, he is suffering from the flu. I am honoured to replace him.

Mr. President, first of all, I wish to express to you the representative of a country with which Italy maintains the most cordial relations, my best congratulations on your assumption of the Chair of this Conference and sincere wishes for a successful mission at this difficult moment. I should also like to voice our most sincere appreciation for the skilful, balanced and effective activity of your predecessor, Ambassador Lars Norberg, and for his statement at the end of his office containing many useful concluding remarks. I also wish to thank the Secretary-General, Vladimir Petrovsky, and his deputy, Abdelkader Bensmail, who are making an outstanding contribution to the smooth running of our Conference. I would also like to address to colleagues who have begun their work in Geneva my warmest expressions of welcome and wishes for the fulfilment of their duties.

The Italian Minister for Foreign Affairs, Lamberto Dini, when taking part in the inaugural debate of the last session, did not fail to address a fervent appeal to all member countries to overcome ideological confrontations and other aprioristic attitudes which seem to be the basic obstacle to the fruitful development of our activity.

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Last year no steps forward were made even if the expertise of the Geneva forum was fruitful in the area of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons.

Since negotiating initiatives seemed impossible the Conference had to limit its activity to a constant political confrontation and could only reach, as the sole result, the appointment of four Special Coordinators.

An international organization which no longer believes in its own ability to improve its own standards is inevitably condemned to give up its activity. We do not believe that this is the case of the Conference on Disarmament.

The Italian Government, throughout the history of its foreign policy, has underlined the importance it attaches to disarmament, which is a central feature of its security policy. In this context, we sustain the role of the Conference.

The difficulties in negotiating, and the obstacles in reaching, further agreements which could be added to those that have been signed to date are of an increasingly political nature.

We have been discussing for more than a year, during which we have left sufficient room for an open confrontation of different views. It is now time, albeit without denying full respect of every national position, to find a minimum common denominator on which the best solution for the successful results of our endeavours can be achieved.

Italy takes its place, without any doubt whatsoever, among the countries that support the process of nuclear disarmament with a final goal of achieving the complete elimination of all such armaments.

We have already undertaken steps in that direction, assuming our full responsibility in the negotiations leading to the banning and destruction of all intermediate-range nuclear forces, and we are equally committed today.

No one can deny that important results have been achieved in recent years and, apart from that, we believe that the path to nuclear disarmament is now clearly defined. We do understand the impatience shown by certain States in our forum regarding nuclear disarmament. We are convinced, however, that the problem cannot be solved by merely issuing fine-sounding declarations or pronouncing solemn ultimatums which will not lead to any positive results.

During the last weeks some proposals have been brought to our attention, and we have examined them carefully. We have appreciated the spirit of the South African proposal. Its concepts have been articulated in an appealing way. The authority of this initiative stems from the fact that it has been presented by a country which has adopted in this delicate issue a clear political line, through decisions that have been an honour to South Africa. But we must also immediately clearly state that if the proposal foresees the

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objective of a multilateralization of the nuclear disarmament negotiations, we will not be able to support it, as it may turn out to be a dangerous illusion. We do not think that the Conference should provide for a multilateral negotiating table aimed at reducing nuclear weapons. It could and should instead stimulate the ongoing nuclear disarmament process, drawing persistently the attention of nuclear countries and others to complying with the commitments undertaken under the Nuclear Non-Proliferation Treaty. We welcome and support the proposal presented by Belgium on 12 February, containing clear and stimulating elements on the way towards nuclear disarmament which could offer, with those improvements deemed necessary, a valuable contribution in terms of further considerations on this delicate and important working agenda item.

I would like to recall in this matter that consideration of issues and in-depth assessments are a preliminary and necessary exercise which precedes the tabling of any initiative and negotiating proposal. And it is for this reason that, after the conceptual endeavours and contributions achieved in preceding years, we consider a negotiation on the prohibition of fissile material production for military use ("cut-off") to be ripe. The immediate re-establishment of the Ad Hoc Committee established in 1995 is then logical, and we are ready to discuss it on the basis of the documents and proposals submitted for our attention on 21 January by Ambassador Moher. It is inconceivable to permit fissile materials to be manufactured while nuclear tests are being banned and existing fissile material is being destroyed. But "cut-off" is only the first in a series of measures set out in the "Principles and objectives" document agreed at the Review and Extension Conference of the NPT. In the view of the Italian Government, this document is in itself a plan of action for nuclear disarmament over the next few years. Some of the most promising goals that still lie ahead are the following: consolidating and extending the denuclearized zones, especially in areas of tension; strengthening negative and positive security assurances to benefit States that fully comply with the provisions of the Non-Proliferation Treaty; extending and enhancing the IAEA safeguards in order to detect and prevent more effectively any possible undeclared nuclear activity.

Other issues have been considered in the past weeks and we have had the opportunity to express the opinion of the Italian delegation in the informal consultations. I refer mainly to the issue of transparency in armaments and to the proposal which was presented by Ambassador Majoor for the appointment of a special coordinator that we intend to support.

Another indisputable objective in the work of the Conference concerns conventional disarmament. In this field we consider that there are some issues that are ripe for negotiation.

The initiative for a ban on anti-personnel landmines has acquired an eloquent meaning. In Ottawa, Italy signed the "Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction", and is carrying out the required procedures for its ratification. On 29 October last, the Italian Parliament passed one of the most advanced pieces of legislation on this matter. Now we must promote universal adherence to the Convention and to its objectives by calling on

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those Governments and the public opinion of those countries that have not decided to adhere to the Ottawa principles. It is for this reason that we also agreed with other countries belonging to other regional groups asking for the reappointment of a special coordinator to continue consultations in the CD, in fulfilment of resolution 52/38 H adopted by the United Nations General Assembly. Only a very few countries have so far ratified the Ottawa Convention. We must not allow the interest of the international community on this issue to lose momentum. The above-mentioned proposal, contained in document CD/1495, is, in our opinion, an important contribution to that end.

We must continue focusing on this issue for moral and humanitarian reasons, also in the interest of the economic development of large areas that need to be cleared from those insidious and infamous weapons that affect so many innocents. As President Clinton said, "Our children deserve to walk the Earth in safety".

The Italian Government, answering calls from the civil population and the forces representing them, intends to contribute to defining codes of conduct setting up the rules of international coexistence and guaranteeing their respect through the appropriate instruments. In the last days, concrete proposals have been presented in the context of the European Union, to which we belong, so that arms and military equipment experts - for which the Union is drafting its own code of conduct - respond to the criteria and standards which provide, under certain conditions, for the prohibition of exporting imported arms, the prohibition of exports with respect to countries responsible for serious violations of international agreements safeguarding human rights or towards those States who intend to hoard military equipment beyond their legitimate security and national defence requirements, and so forth. We also intend to pursue in our forum objectives allowing us to move from values to written rules, from principles to procedures, from claims to rights. For these reasons, we deem it necessary to continue to consider the issue of the prevention of an arms race in outer space. A realistic approach to this issue should start from what has been done in previous years and consider follow-up to the subject, such as important measures for developing mutual trust in international relations. For this reason, we welcome the document submitted by the Canadian delegation.

I would also like to say a few words on the subject of the interna corporis, that is, the whole set of principles and rules of procedure which can render our debate more useful, our consultations easier and the subjects we must deal with clearer, thus making our Conference more representative of the members of the international community. For this reason, we are in favour of the reappointment of the three reform Coordinators on the agenda, the expansion and the improved and effective functioning of the Conference.

Mr. President, Italy, as one of its founding members, looks on the activity of the Conference with great hope and confidence, the same hope and confidence that we nourish for your activity as President of the Conference, hoping that your presidency will be as fruitful as possible and assuring you the full cooperation of the Italian delegation.

The PRESIDENT (translated from French): I thank the representative of Italy for his statement and for the kind words he addressed to the Chair. I now call on the representative of Poland, Ambassador Jakubowski.

Mr. JAKUBOWSKI (Poland): Mr. President, allow me first to congratulate you on the assumption of the presidency of the Conference on Disarmament. It is a pleasure for me to take the floor when the Conference on Disarmament, for the first time ever, is not only hosted by Switzerland but has its helm in the able hands of a distinguished Swiss diplomat.

My delegation is confident, and there are good reasons for our confidence, that under Swiss leadership the difficulties facing the CD at this crucial juncture will soon come to a positive resolution. These reasons include the long and close cooperation between the Republic of Poland and the Swiss Confederation within the context, first of the Conference, now of the Organization for Security and Cooperation in Europe, and the traditional dedication of Switzerland to disarmament, international security and to humanitarian causes worldwide. You will have, Mr. President, full cooperation and support of my delegation in the discharge of your mandate.

Let me also express appreciation to your distinguished predecessor, Ambassador Lars Norberg of Sweden, for the perseverance and skill with which he sought to resolve the problems of the CD agenda and its work programme.

I have asked for the floor in connection with a further exchange of views on APL within the context of issues raised during the plenary of 12 February.

Bearing in mind the important support which has further emerged for the appointment of a special coordinator on APL, on the one hand, and the questions still voiced by some delegations, on the other, I should like to offer some additional comments on behalf of a group of like-minded States.

We assume that the overall, general task of the coordinator would be to try to explore and establish the views of CD members on what the Conference on Disarmament may usefully do to promote the broader objective of a worldwide, effective prohibition of APL. As we stated last week, the pursuit of a global APL export/import ban in the CD would represent an important step in that direction. Last week, we were asked why the CD should address this issue. We believe the reason is simple: such a ban would have the support and participation of the main producers of APLs and would move the world one step further toward a global solution of the landmine crisis.

As we certainly appreciate, a large portion of the APLs underlying the current humanitarian crisis were not manufactured in the countries in which they were emplaced. If we stop the flow of APLs between countries, we will significantly reduce the availability of APLs that cause the humanitarian problem. Last week, we were asked why it was necessary to negotiate a third APL instrument. We are persuaded that APL negotiations centring on this aspect of the APL problem would make a useful contribution to the existing regimes. The Convention on Certain Conventional Weapons (CCW) establishes

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controls on certain APL transfers, whilst the Ottawa Convention does not capture many of the States key to effectively reducing the flow of APLs between countries. The legal regime which the international community is erecting against APLs can only be strengthened by such a ban.

We therefore have no doubt that the CD needs to address APLs quickly. The simple reason is that casualties mount on a daily basis. As will be recalled, this was the key motivation behind efforts to begin negotiations in the CD last year as well as the Ottawa Convention. Then there is the indisputable fact that the CD can act now. Regarding CCW Protocol II, we reaffirm the great value we attach to its ratification and early entry into force. We have no objection to making full use of this instrument as appropriate, but we are concerned about time lines and procedural practicalities.

The more time which elapses before this issue is addressed, the more victims of APLs there will be. Last week we were asked whether a fifth Protocol to the CCW would resolve this problem. To begin negotiations within the framework of the CCW Convention, a majority of the High Contracting Parties has to agree to a Conference to amend the Convention either by negotiation of a Protocol V or by amending Protocol II. This is likely to take time.

Contrary to some views, a treaty negotiated in the CD does not have to take a significant amount of time. Although each treaty is unique in its own way, there is, in this case, a precedent on which negotiations could draw. However, we do not want to prejudge in any way the exact appearance of a final treaty before we have begun negotiations.

We have been asked also if such an instrument would have an impact on definitions or on legal obligations arising under related instruments such as the Ottawa Convention or the amended Protocol II, or on efforts towards the universalization of such related instruments. I would just like to stress in this regard that a vast majority of States which are presently calling for reappointment of a special coordinator and the start of negotiations have signed both the Ottawa Convention and amended Protocol II. Obviously, no State would promote any agreement that would contradict its obligations under such related instruments.

So that this process can begin, we urge the reappointment of a special coordinator as soon as possible.

The PRESIDENT: (translated from French): I thank the representative of Poland for his statement and for the kind words he addressed to the Chair, and particularly to my country.

As you know, Ambassador Gregori Berdennikov of the Russian Federation is soon to be leaving his post in the Conference to take over as Director of the Disarmament Department in the Ministry of Foreign Affairs in Moscow. He has represented his Government at the Conference for over five years, in the course of which he has made an invaluable contribution to our work. He had

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the opportunity to take an active part in the negotiations that led to the Convention on the Prohibition of Chemical Weapons and the Comprehensive Nuclear Test-Ban Treaty. I should therefore like, on behalf of us all, to wish him success in his new duties and happiness in his personal life, in the certainty that in another role he will continue to inspire our work. Ambassador Berdennikov, you have the floor, Sir.

Mr. BERDENNIKOV (Russian Federation) (translated from Russian):

Mr. President, first of all I should like to congratulate you on taking up the duties of President of the Conference on Disarmament and wish you success in this responsible post. In your person the representative of a non-member State of the United Nations has become the President of the CD for the first time. This is yet one more confirmation of the fact that the CD is an independent negotiating forum with its own rules of procedure, and not a United Nations body. I should also like to express my gratitude to your predecessor, the distinguished Ambassador of Sweden, Lars Norberg. In his brief period as President he was able to achieve almost as much as it took the Conference the entire preceding year of 1997 to achieve. Now we already have an agenda, and the CD can focus on what practical work should be done within its framework.

My mission at the Conference has come to an end. Today I have asked for the floor to thank you, Mr. President, for the warm words you addressed to me, and all my distinguished colleagues and staff of the secretariat of the Conference for their kindness and cooperation towards me personally and the Russian delegation as a whole over the four and a half years during which I have had the honour to represent Russia at the CD. If I add to this five years of work here in the 1980s, I have been linked with the CD for almost 10 years. I recall when I joined the Disarmament Department of the Ministry of Foreign Affairs in the 1970s the disarmament veterans said half-jokingly, "In our work it is only the first 10 years that are difficult. After that, no problem - you'll get used to it." Now, on the basis of experience, I can confirm that they were right, although the figure they cited was perhaps somewhat on the low side. In this connection, I cannot help remembering my senior colleagues, the Russian diplomats and disarmament experts with whom I had the good fortune to work directly and who I consider my teachers, towards whom I experience a feeling of profound gratitude and respect - Ambassadors Viktor Karpov, Viktor Issraelyan, Roland Timerbaev, Yuri Nazarkin and also, of course, Vladimir Petrovsky, the current Secretary-General of the CD.

I am certain that the negotiating body in which such important instruments for the maintenance of peace and international security as the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of Chemical Weapons, the Comprehensive Nuclear Test-Ban Treaty and others were developed merits every support. I consider that the CD should resume practical work on such issues as the prohibition of the production of fissile material for nuclear weapons, the worldwide prohibition of anti-personnel mines, starting with a ban on their export and import, the prevention of an arms race in outer space, "negative" assurances, and so on. Looking forward to when we come to the practical realization of the ultimate

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goal of the elimination of nuclear weapons, multilateral negotiations on an international agreement on the subject will obviously also become essential. In the meantime, however, matters have not reached that stage, and now it is essential to do our utmost to advance the process of reduction and limitation of strategic offensive weapons in accordance with the bilateral agreements that have already been reached and have received the support of the international community.

My future work in Moscow, I hope, will give me an opportunity to follow developments at the Conference on Disarmament carefully. As at present, we are going to do our utmost in order to further constructive work by this unique negotiating body. Our Conference does not operate in a vacuum. And this is why it is especially regrettable that the CD has become bogged down now, when there are no external factors complicating its work - the "cold war" confrontation is behind us, and there are no local "hot" wars. If - God forbid - this situation changes and trouble breaks out somewhere in the world, I think we shall all recall this period as a time of missed opportunities.

Allow me to wish you and all our colleagues success, most importantly in moving beyond the current difficult period in the CD's activity as soon as possible. I think there are grounds for hoping that procedural issues will finally cease to constitute the substance of its work.

The PRESIDENT (translated from French): I thank Ambassador Berdennikov for his statement. Are there any other delegations wishing to take the floor? As there are not, I shall now put to the Conference for decision the requests made by Saudi Arabia, Costa Rica and Sudan to participate as observers in the work of the Conference in 1998. You have before you these requests with a covering note from the President issued as document CD/WP.495. Do these requests meet with the Conference's approval?

It was so decided.

The PRESIDENT (translated from French): The next plenary meeting of the Conference will be held on Thursday, 26 February at 10 a.m.

The meeting rose at 11.35 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.786
26 February 1998

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND EIGHTY-SIXTH PLENARY MEETING

Held at the Palais Des Nations, Geneva,
on Thursday, 26 February 1998, at 10 a.m.

President:

Mr. Hofer

(Switzerland)

The PRESIDENT (translated from French): I declare open the 786th plenary meeting of the Conference on Disarmament.

I should like, on behalf of the Conference and speaking personally, to begin by extending a warm welcome to Mr. Martynov, First Deputy Minister for Foreign Affairs of Belarus, who will be our first speaker today. In addition to the First Deputy Minister for Foreign Affairs of Belarus, I have on the list of speakers the representatives of Sri Lanka, France, Hungary and Venezuela.

Before giving the floor to the speakers on the list for today, I would like to inform you that at the end of this plenary meeting we will be holding open-ended informal consultations on item 1 of our agenda, entitled "Cessation of the nuclear arms race and nuclear disarmament", item 3, entitled "Prevention of an arms race in outer space", item 4, entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", item 6, entitled "Comprehensive programme of disarmament", and item 7, entitled "Transparency in armaments".

I now invite Mr. Martynov, First Deputy Minister for Foreign Affairs of Belarus, to make his statement.

Mr. MARTYNOV (Belarus): Thank you very much for your warm welcome, Mr. President, and allow me please to congratulate you on the occasion of your presidency of the Conference on Disarmament and to thank you for your extremely efficient leadership over this distinguished forum.

I also extend my gratitude to your predecessor, Ambassador Lars Norberg, for his accomplishments in this position.

Let me sincerely thank as well the Personal Representative of the United Nations Secretary-General, Secretary-General of the Conference on Disarmament, Mr. Vladimir Petrovsky, and his deputy, Mr. Abdelkader Bensmail, for the effort they have invested to assist the Conference in its work.

The Republic of Belarus highly values the impressive progress achieved by the Conference on Disarmament during the preceding years. Suffice it to mention the Conference's most recent achievements: the Convention on the Prohibition of Chemical Weapons, which recently entered into force, and the Comprehensive Nuclear Test-ban Treaty, which was signed last fall.

Belarus has always attached great importance to the Conference on Disarmament as a negotiating body. We profoundly appreciate becoming a full member of the Conference. We hope that the acquired positive dynamism of the Conference on Disarmament will not be lost in 1998.

I would like to share with you today some of the views and approaches of Belarus to the problems of disarmament and related aspects of security which are very much the focus of CD members and the international community at large.

(Mr. Martynov, Belarus)

Belarus attaches central importance to ensuring reliable security for its people within the context of subregional, continental and global arrangements. We have lived through an extremely difficult history, having been a part of each and every major confrontation in Europe. Our human losses - every third Belarusian perished in the Second World War - are comparable only to the extent of the Holocaust losses, hence Belarus' extremely sensitive and responsible approach to all issues of disarmament and security.

Being a medium-sized European nation, we have no other major means of achieving security than through cooperative measures of disarmament and related security- and confidence-building. Along with that, we believe that Belarus has a special dimension and a special responsibility in these areas, since history made us as the western most bastion of the former Soviet Union, an heir to a more than impressive and sophisticated military arsenal.

You know that Belarus was a leading player in making sure that the dissolution of the Soviet Union did not result in four new nuclear Powers. Belarus had the responsibility - and the courage, I may say - to be the first nation to renounce the available nuclear arsenal which included the most modern mobile means of delivery. The Republic of Belarus was the first among the successor States of the former Soviet Union to accede to the NPT as a non-nuclear country and to ratify START-I without any preconditions. We became, and continue to be, part of the five-party process of implementation, and negotiation, of the major nuclear disarmament and related agreements: the START-I, INF and ABM treaties.

Even prior to the dissolution of the Soviet Union, when our country was still heavily dotted with nuclear missiles, Belarus introduced in 1990 at the United Nations General Assembly a proposal to arrange for a nuclear-free belt between the Baltic and the Black Seas, comprising, obviously, Belarus, Ukraine and the Baltic nations, and other Central European countries which might have been interested. At that time, less than eight years ago, our proposal was not deemed realistic by other sides. However, having already conceived in 1990 of getting the whole of the subregion rid of nuclear weapons and having started this process in 1993, Belarus consistently worked its line and had the honour to put the last dot in the denuclearization process in November 1996 by sending the last nuclear warhead and the last nuclear missile out of the area of Eastern and Central Europe.

As you see, Belarus has invested honestly and heavily, both politically and materially, in the status we can now proudly call **a fact of reality:** Eastern and Central Europe free of nuclear weapons.

In 1996, anticipating the end of the nuclear presence in the region, the President of Belarus proposed to establish a nuclear-free space in Eastern and Central Europe.

Belarus does not intend to try to impose any rigid, preconceived prescriptions here. We humbly suggest two things: firstly, that the international community, Europe above all, should avail itself of the

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opportunity not to ignore the de facto nuclear-free status of a crucial region of Eastern and Central Europe, but rather to acknowledge this status in an appropriate manner or even, preferably, to convert the de facto into a de jure position; secondly, that a new notion - a nuclear-free space as compared to a nuclear-free zone - be used to accommodate any and all legitimate aspects of security policies in the region.

Belarus hopes that in the light of the momentous changes in the global and European security environment, the Conference on Disarmament member States will give careful thought to this idea. We also hope that this thought will be guided by long-term common interest and be free of offhandedness and partisanship.

Belarus, on its part, does not hesitate to recognize an important contribution made in this respect by the "three noes" stance of NATO on the nuclear issue adopted in December 1996. To put things straight, I would like to emphasize that as of 1999 Belarus will become a country with probably the longest boundary with an expanded NATO. We want this boundary to be not a boundary of confrontation and enmity, not a dividing line, but a contact point of cooperation, interaction and mutual respect. Belarus is working towards this end. But we need reciprocity, reciprocity in deeds, not words. As President Ronald Reagan deftly put it a while ago: "It takes two to tango".

In our opinion, the goals of a nuclear-free space in Central and Eastern Europe could be defined as follows: to enhance the disarmament process and, in particular, the elimination of weapons of mass destruction; to reduce the danger of a resumption of nuclear confrontation in Europe; to introduce an integrating element of security and confidence for countries of Central and Eastern Europe, which may have different approaches to a European security structure; to enhance the transcontinental element of European security through mutual obligations of the United States and Russia towards a nuclear-weapon-free space; to consolidate various nuclear-weapon-free commitments, which countries of the region have already assumed; to enhance regional security and stability and, in particular, to promote confidence-building between NATO and those nations whose interests are affected by NATO's enlargement; to prevent geographical proliferation of weapons of mass destruction; and to promote the development of cooperation in the peaceful use of atomic energy technologies.

In our view, the nuclear-free-space proposal of Belarus fully corresponds to the letter and spirit of the 1995 NPT Review Conference document which welcomes the creation of additional zones free of nuclear weapons by the time of the 2000 NPT Review Conference. Needless to say, the concept of a nuclear-free space has a direct bearing on the Conference on Disarmament agenda item "Prevention of nuclear war and all related issues".

Belarus recognizes that the CD is now at a crucial crossroads. In a new global political set-up, the CD, as the only multilateral disarmament negotiating body, has to be up to the new challenges. We in Belarus have no doubt that the CD will successfully cope with them.

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Experience, and the CD has plenty of it, brings wisdom. Flexibility rather than maximalistic approaches, ensuring jointly step-by-step progress in the right direction rather than being prisoners to an "all or nothing" approach, pragmatism and creative thinking rather than rigid linkages - this is what wise men and women from the CD delegations might use to move ahead with the major agenda issues before them, to preserve and strengthen the viability of the Conference.

After CTBT, a logical next step should be negotiations on banning the manufacture of fissile materials for nuclear weapons or other nuclear explosive devices. Having curbed, through the CTBT, the qualitative development of nuclear weapons, curtailing available fissile materials will obviously restrict the supply of new nuclear warheads. It is clear that if the Conference were to succeed in this regard, a great step towards our mutual eventual goal, nuclear disarmament, could be made. If there are issues which need to be thoroughly discussed and researched, the Conference, in our view, should not shy away from actively pursuing what might be called a preparatory negotiating stage.

The Republic of Belarus believes that an ad hoc committee on the prohibition of the production of fissile materials should be established at this session of the Conference on Disarmament in order to immediately start working on this important issue. In our opinion, it is important that the negotiations tackle not only the banning of the production, but also the reduction of the available stock of such materials.

Having become a non-nuclear State, Belarus has a reinforced interest in the Conference on Disarmament achieving progress on effective security guarantees against the use or threat of use of nuclear weapons. We continue to be of the strong opinion that there is an urgent necessity to develop a multilateral and legally-binding agreement on such guarantees. So we urge the 1998 Conference to embark upon such negotiations.

The ever-growing and, in fact, previously unseen pace of scientific progress, including R & D in military applications, should prompt the international community and the Conference to at least continue to be vigilant in the face of the possible emergence of new types of weapons of mass destruction. Belarus is proud that, as a result of its long-time efforts at the United Nations General Assembly, there is a consensus-established alarm mechanism in place to trigger an adequate CD reaction when and if the international community sees a danger of this kind.

Transparency in armaments is another area which, in a very important manner, has a bearing on the security of States. It is all the more so under the circumstances of shifting security structures in Europe. The CD is bound to play an important role in this area.

The issue of landmines, as related to the Ottawa Process, has attracted a lot of political attention in the world recently. I would like to use this opportunity to underscore that Belarus fully shares the concerns about the use of anti-personnel landmines. Belarus, having large stockpiles of these

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weapons, does not in any way contribute to their use and/or proliferation. We have twice, in 1995 and then again at the end of 1997, established a moratorium on their export.

Along with that, Belarus is of the opinion that this and other important global disarmament problems should be negotiated through the established multilateral negotiating body, i.e. the Conference on Disarmament. Other avenues, while laudable in intention, detract not only from the viability of the CD, which is of concern to Belarus as a member, but also from the effectiveness of the proper instruments of disarmament.

In conclusion, Mr. President, let me assure you and the membership of the CD that Belarus is prepared to work diligently, in a concerted effort with other delegations, on the issues I have raised, as well as on all the other items of the agenda, to ensure substantive progress. The Belarusian delegation, which is currently chairing the Eastern European group, is entirely at your disposal.

The PRESIDENT (translated from French): I thank the First Deputy Minister for Foreign Affairs of the Republic of Belarus for his important statement and for the kind words addressed to the Chair. I now call on the representative of Sri Lanka, Ambassador Palihakkara.

Mr. PALIHAKKARA (Sri Lanka): Mr. President, my delegation is delighted to see you, the Ambassador of Switzerland, at the helm of our work this month. As the CD prepares for what would hopefully be a year of some substantive work, we are pleased to participate in your vigorous programme of consultations. The CD is well equipped to make headway under your able leadership. We are deeply indebted to Ambassador Lars Norberg for the solid foundation which he laid to facilitate progress. May I also, once again, congratulate and thank the Secretary-General, Mr. Petrovsky, and Mr. Abdelkader Bensmail, the Deputy Secretary-General, for their much-valued contribution to our work?

My previous tour of duty here in Geneva brought me to the Conference about 10 years ago. During the intervening period the CD has, no doubt, achieved much, while much more, of course, remains to be done on the multilateral security agenda. Among the CD's successes are treaties such as the Chemical Weapons Convention (CWC) and the comprehensive test ban (CTBT). Despite some perceived shortcomings, these treaties do constitute quite impressive achievements. They demonstrate the validity, viability and the efficacy of the multilateral negotiating process. The Conference has also expanded its membership. It has thus become a more broad-based negotiating forum befitting the title of the single multilateral negotiating body of the United Nations on disarmament. Significantly, the CD has managed all that despite a period of transition and flux marked by an evolving international security landscape of the post-cold-war period.

However, with all these achievements to its credit, the CD, it seems, is still endeavouring to define its mission. While no one expects the CD to produce a treaty every session, it seems to go through excessive institutional

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pains year after year, trying to do the obvious, namely, to start real work. Admittedly, this year's pains may be less excruciating than last year's, but we are into the second month of the session without much serious dialogue, let alone negotiations even on what any reasonable person would call marginal issues.

This is happening despite an impressive array of proposals on the table on priority issues. Some of these priority issues seem to have fossilized in time and space from the time I saw them over a decade ago. Arguments in favour of no work on them ring familiar. Although the cold war nuclear rationale, if one ever existed, has ceased to exist in the real world, the doctrinal utility of nuclear weapons has been reinvented and sustained. This approach can perhaps prevail if the nuclear-weapon States (NWS) have to contend only with nuclear weapons reductions to be managed among themselves. But so long as security remains nuclearized and security order entrenched in a continuum between non-proliferation and disarmament, everyone must face the imperative of multilateral work leading to nuclear disarmament on a longer-term perspective. The nuclear-capable countries which remain outside existing treaty regimes have clearly stated that they could discuss non-proliferation-cum-disarmament issues only in a context of multilateral nuclear disarmament. The reality the nuclear-weapon States must face is that further inaction on CD agenda item 1 will undermine the outcome of the 1995 NPT Conference. We must not lose sight of the fact that the 1995 document advocates, inter alia, a multilateral process for the eventual elimination of nuclear weapons. Regrettably, the CD's priority agenda on this score has remained largely unrealized. Evidently, this is not due to any structural or other institutional deficiency inherent in the CD but a matter of political will. The CD can only do what its member States want it to do, no more and no less.

We, however, do not believe that the CD need be overwhelmed by the current paralysis of its nuclear agenda. The order of priorities for the disarmament agenda in its nuclear and conventional dimensions has been quite clear from the time even of the first special session on disarmament in 1978. The letter and spirit of the 1995 NPT Conference outcome reaffirmed it. We do not think it is helpful to replay that debate in order to sidetrack these priorities. What we would advocate is to proceed with realism and dispatch based on the reality of the consensus rule, to address those priority issues. We do see opportunities for some action on many issues, including agenda item 1. The good atmosphere that prevails in the CD from the outset of the 1998 session should be capitalized on to seize such opportunities. If this is not achieved and the CD continues to file nil reports to the General Assembly for successive years, the resultant credibility loss would not serve anybody's interest.

We think that this cannot be, and need not be, the case. You and your predecessor, Mr. President, correctly called substantive work on agenda item 1 pivotal to progress in the CD this year. But the problem is that some see "nothing but fissile material" work under item 1. Equally, an approach of "anything but fissile material" under item 1 would not help either. Fortunately no one has a rigid stance on the latter. Hence we see a

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mainstream view that could potentially point towards a two-track work method under item 1 if we can agree on an ad hoc committee or a similar mechanism, a mechanism which can address real substance, not a pro forma institution.

There is a broad range of proposals under item 1, as I said before. We need to develop a constructive negotiating stance on these proposals in informal consultations through your good offices. We need not pursue diversionary arguments. Instead, we need to respond to the proposals on the table. For example, we do not have to debate whether the CD should supplant bilateral nuclear arms reduction talks. No one has suggested that, as far as we know. It would be unrealistic and counter-productive for anyone to suggest it. On the other hand, bilateral and multilateral processes enrich each other as they seek the same objective on different timescales and in different negotiating environments. They had done so in the past. During the CW negotiations in the CD there were parallel bilateral and at times plurilateral processes under way between the major CW possessors. One did not undermine the other. On the contrary, they supported each other. In the same vein, the bilateral draft text on chemical weapons was enriched, enhanced and developed into an unprecedented instrument of unique intrusiveness through a multilateral process. It is therefore time for us to put aside the argument of mutual exclusiveness.

What, then, can the CD do on agenda item 1? There is consensus in the international community, and we presume that the CD is a party to it, on the desirability of a long-term process leading to the eventual elimination of nuclear weapons. That objective was most forcibly affirmed in the 1995 Conference. A road map for reaching that objective, which is by definition a multilateral one, was also developed in the form of objectives and principles for nuclear disarmament. No one believes that a CD ad hoc committee can or should proceed to immediate negotiations on any nuclear arms reduction. Such simplification would be naive. There is, nevertheless, a sufficient database to begin talks on talks, as it were, on a framework under which the shared objective of the ultimate elimination of nuclear weapons can be pursued. Constructively ambiguous words of the South African proposal, which we think is yet another good attempt towards compromise, seek to capture one way of doing that, albeit at a lower common factor. We think the time has come for the CD to take at least a tentative step towards this deliberative process. Further delay in taking meaningful measures would certainly vitiate the atmosphere for the NPT review process, a process for which we will be commencing preparations in April.

With regard to the CD's role in discussing a fissile material treaty, Sri Lanka stated its position as far back as 1980. My delegation has since supported a comprehensive regime on fissile material production and use in the context of a multilateral nuclear disarmament process. We considered then, as we do now, such a regime as one of the most important barriers against more nuclear weapons as well as new nuclear-weapon States.

Beyond the nuclear agenda, there are other issues as well. We hope these will bring about better results than they had last year.

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The prevention of an arms race in outer space is an agenda item which is clearly underutilized. We sincerely hope that an ad hoc committee can be established on this. Further inaction on this item will run the risk of rolling back the good work done earlier. The past Ad Hoc Committees have produced an impressive repertoire of technical knowledge on the existing regime relevant to outer space as well as the inadequacies of that regime.

Outer space has become important to every country. The launch capabilities have spread fast. Space assets have become strategic interests for the major space Powers and development assets for developing countries. Protection of these assets is the common interest of all countries. Some may feel that these assets can be protected by weapons. Others feel this can be done by legal instruments. In the CD, we, in our collective wisdom, have opted to protect space assets not by lethal weapons but by legal weapons. This is the essence of agenda item 3, i.e., to ensure prevention of the weaponization of space. If we fail to do it now, given the spreading launch capability, we will be talking about non-proliferation in outer space some years down the road.

It seems eminently sensible, therefore, to use a multilateral forum like the CD to prevent the introduction of weapons into outer space. We regret that an ad hoc committee, which we had in the past on this item, has not been able to resume its work. We, nevertheless, agree to the President's suggestion that a coordinator be appointed to seek ways and means to re-examine the ad hoc committee's mandate. Hopefully, the Committee can begin its work with a mandate adjusted to common interests and current realities in outer space.

My delegation shares the view of those members who believe that the CD can and should address conventional disarmament issues as well. Sri Lanka has never been hesitant to address this important question despite the fact that, naturally, the work on nuclear disarmament remained a high priority. Sri Lanka has actively contributed to the formulation and the functioning of the United Nations Arms Register under the TIA regime. We will continue to do so, although we share the view that the arms control value of the Register cannot be overrated. An issue in this field that demands urgent multilateral action is the phenomenon of illicit arms trade, which is driving so many conflicts in various parts of the world. We recognize that this issue is being looked at by a United Nations expert group, which will make a further study this year. Nevertheless we believe that this should not preclude an exchange of views or similar exploratory work in the CD. Deliberative work in New York and exploratory work in Geneva are not mutually exclusive. In fact, the expanded CD represents a reservoir of governmental views which can serve as inputs to the ongoing work by the expert group in New York. We need this parallel process, particularly on illicit arms, because the problem is urgent or even acute.

The former Secretary-General of the United Nations warned the international community against what he described as the "supranational subversive threat to peace and security" within and among States. This threat emanates from the nexus between illicit arms traders, drug traffickers and

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terrorists. They mutually feed each other in a vicious cycle, the consequences of which are all too clear in many parts of the world, particularly in the developing countries, resulting in death and destruction. As the CD and the United Nations begin to address the security agenda of an emerging era, it cannot shut its eyes to this growing problem. What is more disturbing is that the international community has not yet been able to ascertain the magnitude involved in the illicit arms trade, let alone control it. We look forward to the research work undertaken by UNIDIR and others on this issue. One should not be deterred by the view that the illicit arms trade is a law-and-order problem to be tackled by the countries concerned. The reality is quite different though. The same argument was advanced some years ago against the advocacy of international action to counter drug trafficking. However, drug trafficking and terrorism are now squarely on the international agenda, as these are problems which require international cooperation to deter, prevent and counter. Similarly, the illicit arms trade needs international surveillance and cooperation. Measures and legal norms should be developed to support and shape State practice to this end. Given the fabric of conflict scenarios around the world, it is none too soon to take action. We therefore support those delegations which have flagged this issue for work in the CD.

On the issue of landmines, Sri Lanka, although not yet a party to the Ottawa treaty, has welcomed its adoption and is considering its accession when the security situation permits us to do so. We appreciate the humanitarian objective of a comprehensive regime against the full cycle of anti-personnel landmines. Although we ourselves share most of the concerns raised regarding whether the CD can do anything useful in addition to the comprehensive existing regime on these weapons, we have an open mind with regard to the appointment of a coordinator to ascertain the views of delegations within the CD. We only hope that similar flexibility would be manifest by all on other agenda items as well.

As we search for ways forward on substance, the CD must come to terms with one reality. That is that, in the final analysis, it must show to the international community, and to world public opinion in particular, that there is a negotiating forum where common concerns about the world security order and the world nuclear agenda can be articulated. The CD must also project the impression that this participation denotes not an academic value but a negotiating value. That is vital, since security issues, like many others in the contemporary world, have become truly globalized, touching upon the lives of everybody. True enough, the major Powers have undertaken a noteworthy programme of arms reduction. They have shown that viable and stable arms reduction is possible. It is now time to demonstrate that some work is possible and desirable at the multilateral level on nuclear matters as well as on a range of other arms control issues. The treaty commitments enshrined in various arms control and disarmament instruments require such a broad-based approach. A beginning can be made with at least very tentative steps to commence this work on priority issues. That would perhaps be the occasion which the Ambassador of Ireland described as a "defining moment" for the CD this year. We must make the CD use that opportunity rather than lose it. Yet another nil report to the General Assembly will indeed raise questions about the CD's cost-effectiveness.

The PRESIDENT (translated from French): I thank the representative of Sri Lanka for his statement and for the kind words he addressed to me. I now call on the representative of France, Ambassador Bourgois.

Mrs. BOURGOIS (France) (translated from French): Allow me to congratulate you, Mr. President, on taking up the post of President of the Conference on Disarmament. A difficult task awaits you, that of orienting our Conference in the right direction. Your predecessor was able to count on my cooperation and that of my delegation in support of the cautious and progressive approach he adopted. Such an approach can achieve results. I understand that you subscribe to that approach. You can rely on the full and wholehearted support of my delegation.

France expects a great deal from the Conference on Disarmament. I say this with special emphasis in the light of the proliferation of attacks against this forum over the last year: attacks launched by some with considerable press support, claiming that the Conference on Disarmament isn't doing enough; other attacks waged more discreetly, sometimes by the same parties, alleging that it might go too far. Since it decided to take up its seat on the Conference on Disarmament, France has become accustomed to these criticisms, doubts and question marks. It sees in them a further reason to defend the role, the competence and the specific features of the sole multilateral forum for negotiations in the field of disarmament. The cold war is indeed over. However, current events remind us that it would be risky to consider that the world in which we live and the reconciled European continent have entered an era of irreversible stability. Moreover, if we consider the various regions represented here, we must also admit that if threats have faded for some, dangers persist for others. The Conference remains a body representing the major trends in the international community gathering together the main countries whose security concerns must be reconciled so that the cause of disarmament can progress; it is a body whose activities are based on the principle of equality among States, which is ensured by the rule of consensus; lastly, it is a body permanently surrounded by a community of experts whose existence in itself, thanks to the constant dialogue between its members, constitutes an irreplaceable confidence-building measure. At a time when the international community is endeavouring to avert the threat of further conflict in the Middle East, whose origin lay in the issue of whether one State was complying with disarmament measures imposed by the United Nations Security Council, each of us should give proper weight to this last dimension and think twice before arguing that the Conference has lost its relevance.

The international community cannot do without the Conference on Disarmament. Its permanent character, the support it receives from the United Nations Secretariat, mean that the Conference on Disarmament is the sole forum in which the positions of the various parties can be constantly brought together and confronted and divergences gradually reduced. When one compares the work within the Conference and the difficulties regularly encountered during the intensification of the essential work performed by the Ad Hoc Group responsible for negotiating a protocol for verification of the ban on biological weapons, one can only regret that those negotiations do not

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enjoy the favourable conditions which accompanied the ban on chemical weapons or nuclear tests. It is true that ad hoc conferences such as the Ottawa Conference can allow countries whose interests are not in conflict to move quickly to enter into commitments at the international level. But the practical conditions necessary for negotiations among countries with serious security concerns to flourish will not be found in such places. That is why if the CD did not exist, it would be necessary to invent it. This should lead us to approach the debates this year, not merely with the imagination that is needed in the present circumstances, but without unduly dramatizing the inevitable delays and fumbings. The Conference is seeking its bearings, as is only proper in a changing world.

My country attaches special importance to three topics: the prohibition of the production of fissile material for nuclear weapons, the prohibition of anti-personnel mines and prevention of the arms race in outer space. These three issues form a balanced agenda for work in this forum. Two of them are ripe for negotiation; the third has reached the stage of exploratory but urgent conversation. These three issues correspond to current needs.

Following the entry into force of the chemical Convention, its ratification by the two States which are declared holders of chemical weapons, following the signature by more than 120 States of the Ottawa treaty prohibiting the use, stockpiling, production and transfer of anti-personnel mines, it seems to me that, above and beyond the reaffirmation of major principles, the international community's priorities point in three directions. The first direction is consolidating what has already been achieved, first and foremost in the nuclear field, but also in the conventional field. The first stage involves ratification of START II and implementation of the unilateral measures decided on by the weapons-possessing States. We must be aware that at the present time the most important measure in terms of nuclear disarmament consists in the ratification of START II. Two thirds of weapons systems in existence at the time of the cold war in Russia and the United States will be eliminated by the end of the process. This gives an idea of the importance of ratifying START II and launching negotiations on START III. Let us recall also that the very important unilateral reductions carried out by several States possessing weapons, including France, are far from over. In 1997 and 1998, France's military budget fully met the cost of closing the Pacific testing centre, the surface-to-surface strategic missile site on the Plateau d'Albion, the dismantling of all surface-to-surface missiles, covering both Hades missiles and the far advanced work on the 18 strategic missiles at Plateau d'Albion, and also the dismantling of the Pierrelatte plant which produced highly enriched uranium, and of the Marcoule reprocessing plant which produced military-grade plutonium. For a country such as mine, far from producing dividends, nuclear disarmament today means increased budgetary constraints.

Beyond this stage arises the question of ratification of the Comprehensive Test-Ban Treaty and its entry into force. The international monitoring system should have attained a degree of effectiveness by September 1998, and the entry into force of the treaty will then become technically possible. We must prepare for the Conference provided for in

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article XIV, paragraph 2 of the treaty, and this entails, inter alia, prompt ratification of the treaty by all the States that have signed it. I have the honour to announce to the Conference that the process of ratification by France is well under way and that Parliament will take a decision on the subject by the end of March. In fact, the National Assembly has just approved the treaty last Tuesday; it is now for the Senate to express its views on the matter.

Consolidating what has been achieved: this also applies to the conventional field. First of all, it is necessary to work to achieve universal status for the Ottawa treaty, which France has signed, its speedy ratification by the maximum number of States and its entry into force as soon as possible. The purpose is clear: the total and universal prohibition of anti-personnel mines. We must, however, be realistic: the treaty signed in Ottawa imposes requirements to which certain major players are unable to submit. How can we therefore comply with our obligation under the treaty to work for implementation of the ban and meet the expectations aroused by this event among potential victims? The treaty itself supplies the answer, by referring to the Conference on Disarmament. This approach was clearly confirmed by the adoption of resolution 52/38 H in the General Assembly last December on the subject of "Contributions towards banning anti-personnel landmines", with 147 votes in favour and none against. The resolution "invites the Conference on Disarmament to intensify its efforts on the issue of anti-personnel landmines". What contribution can the Conference on Disarmament make? A consensus is not unattainable on negotiations on a ban on transfers of anti-personnel mines. Above and beyond doctrinal disputes and legal quibbling, it is clear that a ban would strengthen the purpose of the Convention and that it would be one of the benefits of the process embarked on in Ottawa.

But we should not, of course, confine our ambitions to consolidating what has been achieved in the past. We must also clear new paths and embark on substantive negotiations. The first path, already identified as a priority area by the United Nations General Assembly and by this Conference three years ago, consists in negotiating a convention for the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices. We know that a treaty prohibiting the production of fissile material, a "cut-off" treaty, is not directly intended to reduce existing nuclear arsenals. But just as the CTBT set a limit for the qualitative development of nuclear weapons, the "cut-off" will establish an overall quantitative limit which will be legally binding and of universal scope. These few words give some indication of the scale and ambition of this task. A "cut-off" convention will cover fissile material, that is, the very core of nuclear weapons. Above and beyond its immediate function, the "cut-off" negotiations are of great importance in several respects. A "cut-off" treaty is not discriminatory in intent. Its purpose is to apply to all States the renunciation of the production of fissile material for nuclear weapons to which the States which do not possess weapons subscribe. The completion of "cut-off" negotiations would be an important step towards the ultimate elimination of nuclear weapons within the framework of general and complete disarmament. The establishment of a multilateral verification system to

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monitor facilities capable of producing fissile material for nuclear weapons would be a key confidence-building measure, particularly in the Middle East and South Asia. A "cut-off" treaty, finally, would be an element of the overall array of non-proliferation measures, by leading States which are not parties to the NPT to cease production of fissile material usable in nuclear weapons, even if they do not join the NPT.

For all these reasons, my country will not cease to argue in favour of the "cut-off". That is why we would have difficulties in endorsing a decision which would involve a step backwards in this field, for example, a decision whereby the "cut-off" would no longer be identified as the next stage to be reached by the Conference on Disarmament on the path leading to the ultimate objective - the elimination of nuclear weapons and general and complete disarmament.

However, I think I should state that France agrees to the Austrian proposal for the re-establishment of the ad hoc committee to negotiate a "cut-off" treaty. Not only can we accept it - we can firmly support it. It is a simple and direct proposal which sets no preconditions to the immediate launching of the "cut-off" negotiations on the basis of the Shannon report and the mandate that it contains - the sole consensual basis which exists today, even if, as we know, that consensus is still fragile. And if the launching of the negotiations is delayed, why not prepare for them by discussing the substance of the problems which would be posed by "cut-off" negotiations informally, in order to take advantage of the presence of the community of disarmament experts here in Geneva?

Next, I will mention, among the new paths, that of the prevention of an arms race in outer space. Recent developments bear witness to the importance of preventing the development of such armaments. This is a challenge befitting our ambitions for the coming century. The role France has played in discussing this matter within the international community is known. We share most of the views expressed this year by Canada on this subject and we support the efforts by Sri Lanka and Egypt to secure the opening of negotiations on a subject with many ramifications, in a context acceptable to all. We continue to think that confidence-building measures appropriate to the new international context can be the subject of negotiations in Geneva to fill the gaps in international law as it exists today and to contribute to its universal application. Today there is a possibility, raised owing to the moderation displayed by the authors of resolution 52/37 adopted by the United Nations General Assembly this year, of exploring the outlines of this key issue. My country favours the re-establishment of an ad hoc committee on this subject and failing that, more immediately, the appointment of a special coordinator.

The new topics which the Conference could address also include the question of small arms. The number of victims and the dissemination of such weapons highlight the need to ensure that they are collected up in areas of conflict, particularly at the key stage of rebuilding peace following a ceasefire. Resolution 52/38 J provides for work by a group of experts, as well as efforts by the Secretary-General of the United Nations to gather the

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views of States on this topic. My country considers that a debate in the Conference to gather the views of member States would be useful. It could lead to an annex to the annual report and would contribute to the objective set forth in the resolution I have mentioned.

I can already hear a disapproving silence: I haven't mentioned the issue of nuclear disarmament as such. That is wrong, of course, since I have said that our primary objective was the conclusion of a "cut-off" convention and that, as all are aware, that convention will be a nuclear disarmament measure. However, you may ask, besides the "cut-off", can other questions concerning nuclear disarmament be addressed in the Conference on Disarmament? To this question, my country answers in the affirmative. But the magnitude, and hence the limits, of what we could envisage, are determined by two constraints. It would be hard for us to accept a measure which called into question the programme of action which was agreed to in 1995 within the framework of the NPT Review and Extension Conference, and specifically, as I have already said, the status of the "cut-off" negotiations. Similarly, we would not wish the multilateral disarmament process to be detrimental to the bilateral American-Russian process and the unilateral efforts which are now known to have produced results exceeding expectations.

In order to answer the question of what the Conference on Disarmament could do, besides the "cut-off", to lead us towards nuclear disarmament, we must therefore distinguish between various possibilities. Either these negotiations on fissile material are embarked upon effectively within the Conference on Disarmament, on the basis of the Shannon report and the mandate appearing in it, or, contrary to our wishes, the Conference is unable to launch the "cut-off" negotiations immediately: would this mean that the Conference on Disarmament is to be paralysed in the nuclear field? Once again, not at all - but the range of possibilities is of course much more limited, given the constraints I referred to earlier.

Is another issue possible? Yes. Alongside the "cut-off" negotiations or pending their launching, we are prepared to consider discussing other nuclear disarmament issues which are highlighted in the documents adopted by the NPT Extension Conference. I am referring to the issue of negative security assurances. This is a sensitive topic as far as we are concerned. The difficulties it raises with respect to the principles underpinning our doctrine of deterrence are well known. Those who follow discussions in this Conference closely will recall that during the plenary of 27 June 1997 the French mission was one of the delegations which had placed on record their difficulties with respect to the treatment of such a topic here. Nevertheless, I went on to say that my country had no objection in principle to the re-establishment of a committee. Today, in that same spirit, France would not object to the immediate re-establishment of an ad hoc committee on negative security assurances. I hope that this position will be properly appreciated and can help to remove the deadlock in the work of the Conference on Disarmament. In our view, the re-establishment of an ad hoc committee on negative security assurances would be a fundamental step towards those who consider that, following the CTBT, the Conference on Disarmament should once again be working in the nuclear field. Yet my country establishes no linkage

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and is prepared to agree to the re-establishment of this committee independently of any other decision which may be taken on the programme of work.

The question is, as has been said by others, what do we want to do on this topic? My country has spared no effort as regards the growing provision of negative security assurances and has already signed and ratified legally binding treaties or protocols granting negative security assurances to over 100 States. The development of nuclear-weapon-free zones is the main thrust of the efforts of the international community today. For all that, my country considers that the Conference on Disarmament can play a complementary role. Work here cannot be in contradiction with ideas that might be exchanged elsewhere. The Conference could be used inter alia to develop elements for the harmonization of instruments to which the weapons-possessing States are or will be prompted to accede in the future, thus fostering cooperation between nuclear-weapon-free zones. The statement just made by the First Deputy Minister for Foreign Affairs of Belarus supplies further evidence of the advantages of such discussions. In that way, the Conference on Disarmament, bringing together States representing all the international community, including regions where the issue of negative security assurances is of the greatest sensitivity for international security and peace, is an irreplaceable forum.

I am not saying that the "cut-off" or negative security assurances will be the sole opportunities to address nuclear disarmament in all the discussions of the Conference on Disarmament and that we refuse to discuss the question as a whole. No! We are not refusing to discuss the question as a whole. We are considering carefully the proposals on the table today submitted in particular by South Africa and Belgium, whose inspiration originates from a similar spirit: that of better organizing the discussion of all the issues linked to nuclear disarmament which are before the Conference. I have already indicated in particular that the South African proposal is a kind of bridge between opposing viewpoints and that we are continuing to study it. This is also the case with the Belgian proposal. If today the Conference as a whole is perhaps not in a position to give immediate endorsement to either of these proposals, France commends their authors for moving the debate forward, steering it in a direction which is more promising than last year. As you know, Mr. President, my delegation is counting on you to ensure that discussions continue on all matters related to nuclear disarmament, in the most transparent manner possible.

Since 1996, which marked the end of an epoch in the Conference on Disarmament, this Conference has had to confront not merely the customary hesitations expressed by States which have genuine security concerns, but the deadlocks created by others which seek extra prestige and national glory through a high-profile position on the stage afforded by the Conference on Disarmament. This situation, together with the period of growing pains, could lead in 1998 to a repetition of the bad habits of 1997. In this context we have to give thought to ways and means of overcoming obstacles. Perhaps we should be working in a more informal fashion, inventing new approaches which would enable us to abandon outdated debates which are no longer of interest to

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any but a steadily diminishing number of disarmament specialists. Perhaps, too, we should recall that the rule of consensus needs to be applied wisely. My country, like many others, is attached to this rule. It opposes consensus only when it feels that the Conference might be embarking on a path which might gravely compromise our security interests. France hopes that the other members of the Conference will be able to display the same restraint, and that they will object to decisions by this forum only when their own defence interests are at stake.

Mr. President, you and your successors will have to guide us towards the concrete decisions which are achievable today. None of them is going to be easy to take. But there are some, as our informal consultations have shown, which could be taken here and now. My delegation will continue to work with that in mind.

The PRESIDENT (translated from French): I thank the representative of France for her statement and for the kind words addressed to the Chair. I now call on the representative of Hungary, Ambassador Náray.

Mr. NARAY (Hungary): Mr. President, allow me to extend to you my delegation's warmest congratulations upon your assumption of the presidency of the Conference on Disarmament. It is a special pleasure to take the floor when the work of this body is chaired for the first time by a representative of Switzerland, a country with which Hungary has maintained centuries-long ties of friendship and cooperation. We greatly appreciate your personal contribution to the development of these relations during your previous assignment to Budapest. I assure you of the readiness of the Hungarian delegation to assist you in carrying out your responsible tasks. Well-deserved words of recognition should also go to your predecessor, Ambassador Lars Norberg of Sweden, for the outstanding and constructive manner in which he guided our activities during the crucial first month of the annual session.

In the course of our deliberations, frequent mention has been made to the relevance of the Conference on Disarmament. The logjam of the last year has raised doubts in many quarters about the ability of this body to contribute effectively to peace and security by addressing and solving the most burning issues on the disarmament and non-proliferation agenda of the international community. My delegation does not share these concerns for a number of reasons. The prevailing atmosphere of the post-cold-war period remains propitious for further measures in this field. The record of the CD in the 1990s, the conclusion of such major treaties as the CWC and CTBT, is a case in point. These developments had also been preceded by long years of pre-negotiations until consensus emerged to start actual substantive talks. The start of the CD's work this year also proves that a year of reflection has not been in vain and has provided for a much better and promising atmosphere for our resumed activities.

The Hungarian delegation came to this session with two basic priorities, which are unchanged from last year. We continue to believe that the CD's programme of work should be based on negotiations which have realistic and

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feasible prospects of a successful conclusion. We advocate focused, practical steps which, in addition to their own merits, open up avenues to achieve broader objectives. In our view, FMCT and a ban on the transfer of anti-personnel landmines correspond to these criteria.

A universal, non-discriminatory and verifiable ban on the production of fissile material for weapons purposes and other explosive devices, along with the CTBT, will consolidate the deep cuts in the arsenals of the major nuclear-weapon States and create the necessary conditions for the continuation of their bilateral efforts. The future "cut-off" convention, if adhered to by all the members of the CD, would embrace unsafeguarded facilities and thus contribute to the stabilization of the security situation in different regions of tension. In short, the FMCT is a necessary and basic component of the progressive measures towards nuclear disarmament, irrespective of whether these further measures are negotiated in a bilateral or multilateral framework. We therefore urge everyone to overcome the present obstacles to negotiations on an FMCT and start them as early as possible on the basis of the mandate in the Shannon report. The Hungarian delegation takes note of the existing reservations in this regard. We welcome the Canadian proposal, contained in document CD/1485, as a constructive attempt to hammer out a compromise on this issue.

My Government remains convinced that the subject of APLs should be one of the highest priorities of the international community. Driven by recognition of the urgent need to alleviate the terrible humanitarian consequences of the use of these weapons, Hungary decided to join the Ottawa Process from its very inception and signed the Ottawa Convention last December. Today, I am pleased to inform you that two days ago, on 24 February, the Hungarian Parliament ratified the Ottawa treaty, bringing the number of ratifications to five. We are confident that, given the great number of States signatories, the entry into force of this legal instrument is within reach. Hungary stands ready to facilitate this process, first of all at the regional level. In this regard, I wish to draw your attention to a regional seminar for senior defence and foreign ministry officials from 19 European States in Budapest from 26 to 28 March of this year, organized by the International Committee of the Red Cross (ICRC) with the political support of the Government and Parliament of Hungary. The purpose of the meeting is to consider international humanitarian law regulating APLs, and within this, to promote the earliest possible entry into force of the Convention as well as the implementation of the commitments contained therein by the States of our region. It is our hope that this seminar will contribute to a greater understanding of various aspects of the problems related to APLs and of the Ottawa treaty by the States of Central and Eastern Europe.

The number of States favouring a total ban has been increasing at an unprecedented pace over the last two years. Not all of the declared supporters of this objective, among them several militarily significant States, are, however, in a position to undertake the full scale of obligations under the Ottawa treaty. At the same time, they have expressed their readiness to adopt a step-by-step approach to the solution of the problems caused by landmines. My Government's aim is to maintain an active and

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purpose-oriented dialogue with these countries. We consider the CD as the appropriate forum to involve them in a dynamic and forward-looking process. We support the transfer ban as the first logical measure. In pursuing this line we would like to stress our understanding that the Ottawa treaty has established the basic norm of international law in the field of APLs and will provide us with guidance in our negotiations.

In conclusion, allow me to turn to another topic of great significance from the Hungarian perspective. For its more than three years of existence, the Ad Hoc Group of the States Parties to the Biological and Toxin Weapons Convention (BTWC) has brought about important results in preparing the ground for a legally binding instrument to strengthen compliance. The implementation of the decisions of the fourth Review Conference marked the beginning of a qualitatively new stage of this process. The determination of the States parties to intensify the work was manifested by their agreement to switch from conceptual discussion to more focused deliberations based on a rolling text. The somewhat slower pace of work has been outweighed by the transition to substantive and meaningful negotiations on the concrete components of the verification regime.

Hungary attaches the utmost importance to the completion of the work within the time lines defined by the fourth Review Conference. In our view, it is realistic to expect the submission of the draft new legal instrument for the consideration of a special conference to be held in 1999. In order to achieve this goal, additional efforts are needed to reinforce the negotiations in the Ad Hoc Group, including the allocation of the necessary time slots. The international community and the States parties to the BWC in particular follow the work of the Ad Hoc Group with great expectations. The strengthening of the Convention is too important a task to be treated as a "stepchild" of the multilateral disarmament and arms control machinery. We are hopeful that the Group can build on the political will of its participants and will be able to fulfil its mandate within the above-mentioned time-frame.

The PRESIDENT (translated from French): I thank the representative of Hungary for his statement and the kind words he addressed to my country and to the Chair. I now call on the representative of Venezuela, Ambassador Rodríguez Cedeño.

Mr. RODRIGUEZ CEDEÑO (Venezuela) (translated from Spanish): Mr. President, allow me first of all to congratulate you on chairing the Conference during this period, which, I am sure, under your experience and ability, will culminate in important progress in favour of the development of our work. I should also like to express gratitude on behalf of my delegation to Ambassador Lars Norberg of Sweden for the very effective manner in which he conducted our initial work.

There is no doubt as to the importance and significance of the work of the Conference on Disarmament, which are not only of interest to the international community and public opinion in general but represent an important landmark in respect of all negotiations conducted on this issue.

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The Conference, created to meet the need for multilateral handling of the topic, bears great responsibility towards the international community, which expects it to make progress in negotiations on its various agenda items.

Progress in our work is based on its organization and the latter, of course, on the political will of member States. A balanced approach to the organization of work is something we deem essential. To our mind, we should move forward at the same pace and under the same arrangements in considering the various items on our agenda. Only on that basis shall we be able to address substantive issues appropriately and adopt constructive conclusions at the end of our session and show that the Conference is able and prepared to achieve specific results, overcoming the political hurdles which are inherent in our work. In that regard, my delegation considers that we will be able to make progress only through the exchange of views, wide-ranging and transparent consultations among member States. In that context, my delegation considers it essential to appoint special coordinators with clear and well-defined mandates to facilitate the negotiation and adoption of substantive conclusions on the various items before the Conference. These consultations, in turn, should facilitate the work of the ad hoc committees which, as subsidiary bodies, may be constituted to consider the items on our agenda.

My delegation attaches great importance to all the items, in particular nuclear disarmament, anti-personnel landmines and transparency in armaments, items where the Conference is competent and has a mandate to consider and reach valid conclusions. In connection with the topic of nuclear disarmament, a priority established at the first special session of the General Assembly in 1978, we must proceed from a fundamental starting point: responsibility for nuclear disarmament is a necessarily shared responsibility. By its very nature nuclear disarmament is everyone's affair. Collective security, at the centre of which nuclear disarmament lies, should be approached in a fundamentally multilateral manner, which does not of course detract from the importance of any bilateral negotiations that may be undertaken, whose positive results are welcomed by the international community. In connection with this item we should remember the most important advisory opinion of the International Court of Justice of 8 July 1996 on the legality of the threat or use of nuclear weapons, which is certainly of direct interest to our work. Despite the fact that such advisory opinions are essentially recommendations to the requesting body, in this case the General Assembly of the United Nations, and that in principle they are consequently not legally binding, they contain fundamental elements for the development and shaping of international law, a sphere which we do not often associate with disarmament, still less with nuclear disarmament.

Without going into detailed comments, though that would be well worthwhile, because this decision addresses international rights and duties related to the threat or use of these weapons, we should remember that in paragraph F of this opinion, the Court unanimously highlights the existence of an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective control. But in addition, as the President of the Court, Mr. Bedjaoui, pointed out in the individual declaration appended to this advisory opinion,

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there is a twofold general obligation, opposable erga omnes, to negotiate in good faith and to achieve the desired result. Judge Bedjaoui agrees that nuclear disarmament will always remain the ultimate goal of all action in the field of nuclear weapons, that the goal is no longer Utopian and that it is the duty of all to seek to attain it more actively than ever. In the view of our delegation, the time has come to create an ad hoc committee on nuclear disarmament, thus responding to resolution 52/38 L of the United Nations General Assembly. In that context, we are pleased to see the proposal submitted by Ambassador Selebi of South Africa, which refers to the creation of this ad hoc committee.

My delegation attaches great importance to the issue of anti-personnel mines, which the Conference is not only competent to address, but also has a clear mandate contained in resolution 52/38 H of the United Nations General Assembly, which invites us to redouble our efforts in relation to the creation of a comprehensive legal regime on this issue. My delegation considers as a frame of reference the need to create a broad and general legal regime on anti-personnel mines. It is not a matter, in our view, of initiating negotiations in parallel or as a replacement, nor a duplication of effort. Our work should be seen as complementary, in the context of the idea that it is necessary to develop a broad, universal and effective legal regime. The Ottawa Convention, of which my country is a signatory, is a principal part of this regime, along with Protocol II to the 1981 Convention on Conventional Weapons. The role the Ottawa instrument is called upon to play is a universal one, though participation on a corresponding scale is regrettably not yet apparent. The Conference can and must address the item to spell out, above all, the goal being pursued. To this end, we share the view that we should appoint a special coordinator and possibly create an ad hoc committee, with a specific mandate, considering the foregoing, to ensure continuation of the positive work undertaken last year by Ambassador Campbell of Australia. It is desirable, however, to give some thought to the task of the Conference in relation to this item. Doubtless this is a legal issue with important political implications. It would be a matter of refining the Ottawa regime as well as providing political support to help to achieve universal status for this instrument, which, it is true, received substantial backing during its development and which will doubtless be truly universal when it enters into force.

The work of the Conference, though political, can have and indeed does have a legal significance without that meaning that this is a body responsible for codification. In any event, and this is reflected in practice, the Conference has an undeniable role to play in the process of development of international law on disarmament and related matters.

Finally, I should also like to refer briefly to an item we consider equally fundamental: transparency in armaments, with special reference to conventional weapons. We are all aware of the grave consequences of the illicit flow of arms in regions in conflict and the need to establish a regime enabling us to control this situation. The Ambassadors of Mexico and Canada have already referred to the "Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other

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Related Materials", to which my country is a party and which shows that it is possible to make progress in moulding a common legal framework, albeit for the moment covering only one hemisphere, to deal with this problem. In this regard, we agree with those representatives who consider that the Conference should address this item at this session.

The PRESIDENT (translated from French): I thank the representative of Venezuela for his statement and for the kind words addressed to the Chair. Would any other delegations like to take the floor at this stage? I recognize the representative of Canada. Ambassador Moher, you have the floor.

Mr. MOHER (Canada): In the first comprehensive statement that we made to the Conference on Disarmament this year, on 22 January, we outlined our priorities and our approach to the 1998 session. Given the length of that statement, I promise to be much briefer here this morning. But in view of the developments since that time, we believe it may be useful to elaborate further a few points specifically related to APMs and NSAs, not least of all due to questions we have received and interpretations advanced by others concerning our positions on these matters.

Before doing so, it is perhaps useful to restate our view, the Canadian view, that there is a simple, clear and logical sequence that should be followed in deciding what, if any, work could be done on any issue in the CD. First, there needs to be a general recognition that the issue is of importance, that it merits attention by this body. Second, if there is such a recognition, the CD should explore with delegations what work would be appropriate in the CD, drawing on facilitators and special coordinators, as possible, and as you know, Mr. President, and your predecessor, Ambassador Norberg, we have supported your efforts in that regard. Third, once the CD has explored what work would be appropriate, the CD should then proceed to establish an ad hoc committee with an appropriate mandate. This perhaps overly academic outline is useful, in our view, in order to clarify our approach to the ongoing consideration this year of a number of issues for possible work in the CD. Essentially, any decision to establish or to re-establish an ad hoc committee should be based on agreement that an appropriate and viable mandate has been, or can be, established.

Against that background, turning now to the topic of anti-personnel mines, there has been considerable formal and informal discussion on this matter in the CD this year. In our statement in January, we made it clear that work on APMs in the CD is not our priority, although we recognize that it may be the priority of some other delegations. We, for our part, continue to believe that there are already two credible and viable agreements dealing with these weapons, the Ottawa Convention and CCW Amended Protocol II. However, as noted, we have also recognized that if this Conference so wished, we would not object to the appointment of a special coordinator, with a neutral mandate, to explore what work in the CD might be appropriate. And, obviously, any subsequent decision to establish an ad hoc committee would require clarity as to its mandate.

In following this approach, we wish to make it clear that, while we will not object to appropriate work on APMs in the CD, we do have clear views on the substance of the issue of APMs, which derive from the obligations we have

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undertaken by signing and ratifying the Ottawa Convention. We have in mind such issues as the definition of an anti-personnel mine and the possible scope of any instrument to be negotiated in the CD. Thus, if and when a special coordinator is appointed, we will provide that person with our views concerning an appropriate mandate for work on APMs in the CD.

These brief comments are to set the context for the informal views which we had earlier provided to some delegations concerning CD/1495. Given recent developments, and questions arising therefrom, we are attaching to this statement a copy of our informal paper.

Turning now to negative security assurances, and to interpretations being advanced as to our views thereon, we believe the same logical sequence should be applied to this issue. While it is not a Canadian priority in the CD, some delegations have indicated that this is a priority issue for them. Again, we do not object to appropriate work on NSAs being undertaken in the CD. On that basis, we believe that a special coordinator could be appointed to explore further the substance of that issue. In our view, however, greater clarity is required before we commit ourselves to moving to an ad hoc committee with an agreed mandate. To put the question as simply as I can, we want a clearer idea as to "who is to give what to whom and how". We believe such further clarification is essential so that delegations will have a better idea as to what such an ad hoc committee might reasonably expect to accomplish. And in that regard, parenthetically, I should like very much to welcome the comments by Ambassador Bourgois of France here this morning, which begin to try to address the question that we have put. At the present, however, it remains too unclear to us what exactly such an ad hoc committee might be expected to achieve. We are, of course, posing in other forums the same question with regard to possible work on NSAs.

I hope these further elaborations of Canada's approach to the 1998 session will be useful for the work of the Conference. We look forward very much to the continuing formal and informal dialogue on these issues and, indeed, on those issues Canada identified as its priorities for the 1998 session - specifically, nuclear disarmament, FMCT and conventional disarmament.

The PRESIDENT (translated from French): I thank the representative of Canada for his statement. Would any other delegation like to take the floor?

Since none do, I would like to remind you that, as I announced at the start of this plenary meeting, we will holding informal open-ended consultations on agenda items 1, 3, 4, 6 and 7 in this room immediately after the end of the meeting.

The next plenary meeting of the Conference will take place on Thursday, 5 March at 10 a.m.

The meeting rose at 11.50 a.m.